

CITY OF MUSKEGON  
MUSKEGON HOUSING BOARD OF APPEALS  
MEETING MINUTES  
05/05/05  
5:30PM

ATTENDANCE: Randy Mackie, Greg Borgman, Nick Kroes, Jon Rolewicz,  
Ed Simmons, John Warner, Clara Shepherd

ABSENT:

EXCUSED:

STAFF: Henry Faltinowski, Carmen Smith, Don LaBrenz, Anthony  
Kleibecker, Kevin Stier, Major Metcalf,

GUESTS: Victor Rockafellow (765 Washington) Bryon Mazade, John  
Schrier, Dollie Hippchen (Nelson Neighborhood Assoc.)

Meeting minutes: A motion was made by John Warner and seconded by Jon Rolewicz to approve the April minutes. Anthony Kleibecker noted correction that should be made on May Agenda regarding interior inspection for 765 Washington dated 05/28/05 should be 05/28/04.

A roll call vote was taken:

AYES:  
Greg Borgman  
Randy Mackie  
Jon Rolewicz  
Nick Kroes  
Clara Sheperd  
Ed Simmons  
John Warner

NAYES:

EXCUSED:

ABSENT:

Motion carried.

**DANGEROUS BUILDING NEW CASES:**

**Removed from Agenda – 2174 Blodgett (Garage Only) – Virginia M. Gray,  
2174 Blodgett St., Muskegon, MI 49441**

**EN-050100 –765/769 Washington – Victor Rockafellow, 1450 Leahy,  
Muskegon, MI 49442**

Victor Rockafellow was present to represent this case.

Mr. Rockafellow had disagreements with the Inspection Department on electrical issues and housing inspection. He stated he had put in a new foundation and purchased new windows and was unaware that permits had expired. He said his plan was to install vinyl siding this summer but all repairs would take about a year because of limited time and resources. Greg Borgman reviewed pictures. Clara Shepherd asked about land contract, when purchased, how long did it take for property to get in the shape it's in now and if purchased for rental property. Mr. Rockafellow stated property was purchased on land contract in 1996 and that renters caused \$5000.00 damage within two years. Henry Faltinowski stated only one inspection had been done and there had been no contact with owner since that time and added a timeline should have been set to complete repairs. Anthony Kleibecker clarified the difference between a Certificate of Compliance and Certificate of Occupancy and why the structure was put on the dangerous building list.

Staff Recommendation: Table for 30 days pending inspection and establish timeline for repairs at HBA June 2005.

A motion was made by Nick Kroes and seconded by John Warner to accept staff recommendation.

A roll call vote was taken:

**AYES:**

Greg Borgman  
Randy Mackie  
Jon Rolewicz  
Nick Kroes  
Clara Sheperd  
Ed Simmons  
John Warner

**NAYES:**

**EXCUSED:**

**ABSENT:**

Motion carried.

## **DANGEROUS BUILDING NEW CASES:**

### **EN-050091 – 2355 Lincoln – Joseph L. Hock, 1949 Mill Iron Rd, Muskegon, MI 49442**

No one was present to represent this case.

Anthony Kleibecker showed pictures stating there had been a fire at the property early this year. Henry Faltinowski stated an inspection had been conducted on 04/27/05 at which time the owner stated his plans to save half the home.

Staff Recommendation: Declare this building substandard, a public nuisance, and dangerous building.

A motion was made by Randy Mackie and seconded by Jon Rolewicz to accept staff recommendation.

A roll call vote was taken:

#### **AYES:**

Greg Borgman  
Randy Mackie  
Jon Rolewicz  
Nick Kroes  
Clara Sheperd  
Ed Simmons  
John Warner

#### **NAYES:**

#### **EXCUSED:**

#### **ABSENT:**

Motion carried.

## **OLD BUSINESS:**

Nick Kroes asked about 243 W. Southern, which was declared by HBA but noticed new paint job to cover damage. Nick also reported 214 Catherine, 246 E. Isabella and 1900 McIlwraith abandoned and in bad shape. Clara Shepherd mentioned "fearsome four" would be looking at Area 12 May 10, 2005. Ms Shepherd asked about property next to St. Joseph Tot Lot where she observed work being done without a permit and home still boarded up. Ms Shepherd also asked about structure on Muskegon Ave between Sixth and Fifth that has a tag with no work being done. Ms Shepherd also reported on Sixth St between Webster and Muskegon Ave., which appears to be an abandoned structure with electrical box open with wires torn out.

#### NEW BUSINESS:

Board wanted to present ideas that could possibly be used to prevent structures from falling into disrepair. City Manager, Bryon Mazade made comments to reinforce city policies and remind board of their responsibility to remain an independent and impartial body. The board presented ideas regarding point of sale inspections, licensing landlords and issuing more civil infractions. Dollie Hippchen asked about how often the Padlock ordinance had been used to pressure absentee landlords. Anthony Kleibecker stated letters are sent on a monthly basis and have been done for 3 years and have yet to have a second violation. Mrs. Hippchen asked if there is language that would address code violations. Anthony Kleibecker stated law addresses only prostitution and drug use. The HBA, the City Manager, and City Attorney concluded that education of public through reaching out to new homeowners, landlords and tenants letting them know about resources we have available to them also the City wants to work with owners but inform them of our strong expectations. Anthony Kleibecker stated that building relationships between neighborhood associations and landlord association and improvements in communication with Inspection Department would be an effective tool in fighting blight.

**ADJOURNMENT: 6:50 P.M.**

#### CITY OF MUSKEGON

#### AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Gail Kunding, City Clerk  
933 Terrace Street  
Muskegon, MI 49443  
(616) 724-6705 or TDD (616) 724-6773